

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

UNITED STATES OF AMERICA,

VS.

CRIMINAL ACTION NO. 4:07CR140-P-B

**JOSE SANTOS GONZALES AND
TARRASCO STEEL COMPANY, INC.,**

DEFENDANTS.

ORDER CONTINUING TRIAL

This matter comes before the court upon Defendants' second Motion for Continuance [32].

After due consideration of the motion, the court finds as follows, to-wit:

Trial is currently set for October 29, 2007. Defense counsel requests additional time to conduct pre-trial investigation and to file pre-trial motions based on recent depositions that will not be transcribed before October 19, 2007.

The Government has no objection to the continuance.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. section 3161(h)(8)(A), the period of delay from October 29, 2007 until the new trial date to be set in this matter. The time is excludable under subsection (h)(8)(A) because, given the circumstances described above, a continuance is necessary to afford the defendants' counsel more time to adequately prepare for his clients' defense. As such, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendants in a speedy trial.

IT IS THEREFORE ORDERED AND ADJUDGED that:

- (1) Defendants' Motion for Continuance [32] is **GRANTED**;
- (2) Trial of this matter is continued as to all defendants until Monday, December 3, 2007 at

9:00 a.m. in the United States Courthouse in Greenville, Mississippi;

(3) The delay from October 29, 2007 to December 3, 2007 is excluded from Speedy Trial Act considerations as set out above;

(4) The deadline for filing pretrial motions is November 12, 2007; and

(5) The deadline for submitting a plea agreement is November 19, 2007.

SO ORDERED this the 25th day of September, A.D., 2007.

/s/ W. Allen Pepper, Jr.

W. ALLEN PEPPER, JR.

UNITED STATES DISTRICT JUDGE